

NDMS (Rev. 2/14) Agreed Order

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA)	
)	
vs.)	
)	
)	Docket No.: 4:15CR00116-001
Timothy Terrell Thompson)	
Timmie Thompson)	

**AGREED ORDER TO REVOKE
SUPERVISED RELEASE/PROBATION**

Upon petition of the U.S. Probation Service, joined herein by the United States and the defendant, to revoke the probation of defendant Timothy Terrell Thompson and for good cause shown therein, and also based on agreement of the parties as set forth herein:

AGREEMENT OF UNITED STATES AND DEFENDANT

The defendant agrees and stipulates he has violated the terms and conditions of his supervised release; specifically, the defendant confesses he has violated the following condition(s) of supervised release:

- | | |
|--|----------|
| <u>SP2:</u> Dismas Charities rule violation by being in possession of a smartphone. | <u>C</u> |
| <u>SP1:</u> Use of a controlled substance, specifically marijuana. | <u>C</u> |
| <u>MC3:</u> Possession of a controlled substance. | <u>C</u> |
| <u>SP2:</u> Failure to complete the Residential Reentry Program. | <u>C</u> |

The parties stipulate, pursuant to Chapter 7 Policy Statements, U.S. Sentencing Guidelines, the defendant's violation is a maximum Grade C and the defendant has a Criminal History Category of III.

The parties stipulate, based on U.S.S.G. § 7B1.4, a Grade C violation and a Criminal History Category of III, calls for a range of incarceration from 5 to 11 months.

The parties agree, pursuant to Rules 11(c)(1)(C) and 32.1, Federal Rules of Criminal Procedure, the Court should order the defendant to be incarcerated for a period of Time Served.

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If the Court rejects this sentencing agreement, the defendant has the right to withdraw from this Agreed Order and have an evidentiary hearing on the revocation of his supervised release.

DEFENDANT'S ACKNOWLEDGMENT AND WAIVER

The defendant acknowledges he is confessing the violations of his supervised release because he, in fact, did violate the conditions of his supervised release set forth above.

The defendant acknowledges he has had an opportunity 1) to review the notice of the alleged violations of supervised release and 2) to review the evidence against him.

The defendant further acknowledges he is aware of the following rights and is knowingly waiving these rights in exchange for the recommended sentence:

- 1) The opportunity to appear personally, present evidence, and question adverse witnesses at a revocation hearing; and
- 2) The opportunity to make a statement personally to the Court in mitigation of sentence and to present mitigating evidence to the Court.

The defendant acknowledges the Court may impose additional conditions of supervised release in addition to those which were imposed in the original sentencing order.

AGREED SENTENCE

Upon agreement of the parties as set forth above, it is hereby ORDERED the previously imposed period of supervised release is hereby REVOKED.

It is further ORDERED the defendant Timothy Terrell Thompson be and is hereby SENTENCED to a period of incarceration of time served on Count 1 of the Indictment. He is to be transported by the U. S. Marshal Service to the Haven House of Oxford, Mississippi pending the availability of a placement bed.

It is further ORDERED the defendant be and is hereby ORDERED to serve an additional term of 3 years supervised release after being released from the sentence of incarceration herein ordered.

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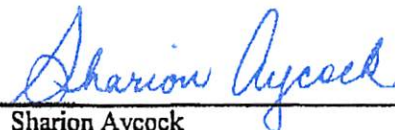
It is further ORDERED the defendant's conditions of supervised release are as follows:

1. It is ORDERED the special assessment imposed in the original Judgment in a Criminal Case is hereby reimposed and is to be paid in full immediately.
2. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.
3. The defendant shall be placed in a thirty (30) day primary substance abuse treatment program at the Haven House of Oxford, Mississippi. While there, he is to abide by all of the rules and regulations of this program.
4. The defendant shall participate in a sixty (60) day secondary substance abuse treatment program that is located at the Haven House of Oxford, Mississippi. While there, he is to abide by all of the rules and regulations of this program.
5. The defendant shall participate in the independent transitional living substance abuse treatment Program that is located at the Haven House of Oxford, Mississippi. While there, he is to abide by all of the rules and regulation of this program.
6. The defendant shall continue to take all medications that are prescribed by the attending physicians and or nurse practitioners in association with his mental diagnosis.
7. The defendant shall participate in a program of mental health treatment, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.
8. The defendant may be required to submit to polygraph examinations as instructed by the probation officer. The results of the polygraph examination(s) may not be used as evidence in Court for the purpose of the revocation of supervision, but may be considered in a hearing to modify conditions of release.
9. The defendant shall comply with all federal and state sex offender regulations in the state(s) where the defendant resides, works, is a student, or travels as directed by the probation officer.
10. The defendant shall submit his or her person, property, house, residence, vehicle, papers, computers (as defined in Title 18, United States Code, Section 1030e(1)), other electronic communications or data storage devices or media, or office, to a search conducted by the United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision. Any search must be conducted at a reasonable time and in a reasonable manner.

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A Judgment and Commitment Order consistent with this Agreed Order shall issue forthwith.

So ORDERED, this the 3rd day of February, 20 17



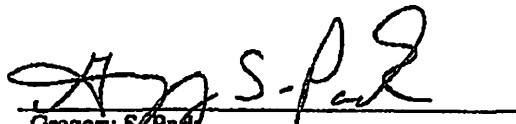
Sharion Aycock
Chief United States District Judge

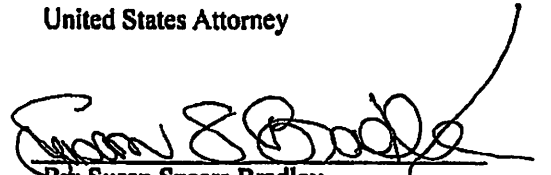
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Approved

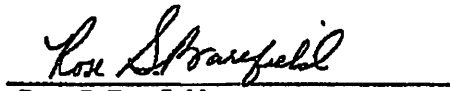

Timothy Terrell Thompson
Defendant

Felicia C. Adams
United States Attorney


Gregory S. Park
Assistant Federal Public Defender
Attorney for Defendant


By: Susan Spears Bradley
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Laura B. Wright
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